1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 IRA GORDON, No. 2:15-cv-1316 DAD P 12 Petitioner. 13 v. **ORDER** 14 T. VIRGA, 15 Respondent. 16 17 Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has not, however, filed an in forma pauperis 18 19 affidavit or paid the required filing fee (\$5.00). See 28 U.S.C. §§ 1914(a); 1915(a). 20 By order filed June 30, 2015, the undersigned directed petitioner to either submit the 21 appropriate affidavit in support of a request to proceed in forma pauperis or the appropriate filing 22 fee. (ECF No. 3.) On August 3, 2015, petitioner filed a document with the court entitled "Trust Account Withdrawal Order," on form CDC-193, dated July 2, 2015. (ECF No. 5.) That 23 document appears to direct the withdrawal of \$5.00 from petitioner's prison trust account and the 24 mailing of a check in that amount to this court on petitioner's behalf. However, as of September 25 26 8, 2015, the court had not received any funds bearing petitioner's name.

support of a request to proceed in forma pauperis or the appropriate filing fee.

Petitioner will be given one final opportunity to either submit the appropriate affidavit in

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In accordance with the above, IT IS HEREBY ORDERED that: 1. The Clerk of the Court is directed to send petitioner a copy of the in forma pauperis form used by this district. 2. Petitioner shall submit, within thirty days from the date of this order, an affidavit in support of his request to proceed in forma pauperis or the appropriate filing fee. Petitioner's failure to comply with this order will result in a recommendation that this action be dismissed. Dated: September 8, 2015 UNITED STATES MAGISTRATE JUDGE DAD:10 gord1316.101a.2nd